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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,302	06/25/2003	Song Wu	TI-33763	5280
23494	7590	07/12/2007	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED			JOSEPH, JAISON	
P O BOX 655474, M/S 3999				
DALLAS, TX 75265				
			ART UNIT	PAPER NUMBER
			2611	
			NOTIFICATION DATE	DELIVERY MODE
			07/12/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@ti.com
uspto@dlemail.itg.ti.com

Advisory Action Before the Filing of an Appeal Brief	Application No.	Applicant(s)	
	10/603,302	WU ET AL.	
	Examiner	Art Unit	
	Jaison Joseph	2611	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 June 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-25.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 0614/2007 have been fully considered but they are not persuasive.

Regarding claim 1 – 12 and 23 – 25, Applicant argue, "The Sawada reference does not disclose a feed forward equalizer that produces an equalized analog communication signal". However Examiner respectfully disagrees. Sawada reference teaches prefilter 12 (feed forward filter) produces an equalized analog communication signal (see figure 1 and paragraph 4). Thus Sawada reference teaches the cited limitation. Applicant further argues "t[T]he prefilter 12 in Sawada is not an equalizer..". However Examiner respectfully disagrees. It is well known in the art that filters are used as an equalizer and equalizers are made up of filters. It is well known in the art that the use of filter in the place of equalizer. Further Sawada reference teaches the prefilter is a feed forward filter (see paragraph 4). Further Sawada teach the feed forward filter to improve the S/N ratio of the received signal. Thus the prefilter in Sawada is a functional equivalent of a feedforward equalizer. Therefore Sawada et does teach all cited limitations. Therefore Examiner maintains his rejection of claims 1 –12 and 23 – 25. Applicant is reminded that the examiner is entitled to give broadest reasonable interpretation to the language of the claims.

Regarding claims 13 – 16, Applicant argue, "the filters in Yang do not define control information based on feedback coefficients used by a decision feedback equalizer" However Examiner respectfully disagrees. Yang et al does teach the control

information define based on feedback coefficients used by a decision feedback equalizer. Yang et al teach "DAC develops an analog current, the coefficient current, that is proportional to the multiplier coefficient...". Further Yang et al teach calculating the filter coefficients using LMS algorithm. It is inherent that the LMS algorithm uses feedback to calculate the coefficients. Thus Yang et al teach the cited limitations. Therefore examiner maintains the rejection of claim 13 – 16. Applicant is reminded that the examiner is entitled to give broadest reasonable interpretation to the language of the claims.

Regarding claim 17 – 22, Applicant argue "Feedback filter 16 is not an equalizer" However Examiner respectfully disagrees. It is well known in the art that filters are used as an equalizer and equalizers are made up of filters. It is well known in the art that the use of filter in the place of equalizer. Therefore Sawada et does teach all cited limitations. Therefore Examiner maintains his rejection of claims 17 – 22. Furthermore Applicant is reminded that the examiner is entitled to give broadest reasonable interpretation to the language of the claims.

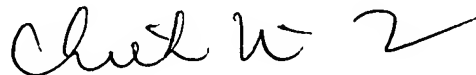
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaison Joseph whose telephone number is (571) 272-6041. The examiner can normally be reached on M-F 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on (571) 272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jaison Joseph
06/28/2007



CHIEH M. FAN
SUPERVISORY PATENT EXAMINER